

الْبَابُ التَّاسِعُ

وَفَاءُ الْعَهْدِ وَالْعَمَلُ بِالْمَوَاثِيقِ مَعَهُمْ

CHAPTER NINE

FULFILMENT OF AGREEMENTS AND
COVENANTS WITH NON-MUSLIMS

١/٨٨ . عَنْ عُمَرَ بْنِ الْخَطَّابِ قَالَ: وَأُوْصِيهِ بِذِمَّةِ اللَّهِ وَذِمَّةِ رَسُولِهِ أَنْ يُوفِّي لَهُمْ بِعَهْدِهِمْ وَأَنْ يُقَاتِلَ مِنْ وَرَائِهِمْ وَلَا يُكَلِّفُوا إِلَّا طَاقَتْهُمْ .
رَوَاهُ الْبُخَارِيُّ وَابْنُ أَبِي شَيْبَةَ وَابْنُ حِبَّانَ وَالْقُرَشِيُّ .

88/1. 'Umar b. al-Khaṭṭāb stated (the following legacy before his martyrdom):

“I counsel him [the ruler] to uphold the guarantee of Allah and His Messenger , and to fulfil the terms of their treaty, and to fight in their defence. I also counsel him not to overburden them with more than they can bear.”¹

Reported by al-Bukhārī and Ibn Abī Shayba, Ibn ibbān and al-Qurashī.

٢/٨٩ . عَنْ سُلَيْمَىْ بْنِ عَامِرٍ يَقُولُ: كَانَ بَيْنَ مُعَاوِيَةَ وَبَيْنَ أَهْلِ الرُّومِ عَهْدٌ وَكَانَ يَسِيرُ فِي بِلَادِهِمْ حَتَّى إِذَا انْقَضَى الْعَهْدُ أَغَازَ عَلَيْهِمْ . فَإِذَا رَجَلٌ عَلَى دَائِبٍ أَوْ عَلَى فَرَسٍ وَهُوَ يَقُولُ: اللَّهُ أَكْبَرُ وَفَاءً لَا غَدْرٌ، وَإِذَا هُوَ عَمْرُو بْنُ عَبْسَةَ . فَسَأَلَهُ مُعَاوِيَةُ عَنْ ذَلِكَ فَقَالَ: سَمِعْتُ رَسُولَ اللَّهِ يَقُولُ: مَنْ كَانَ بَيْنَهُ وَبَيْنَ قَوْمًا عَاهَدْ فَلَا يَكْلُنَ عَهْدًا وَلَا يَسْدِدْهُ حَتَّى يَمْضِيَ أَمْدُهُ أَوْ يَنْبَذِ إِلَيْهِمْ عَلَى سَوَاءِ . قَالَ: فَرَجَعَ مُعَاوِيَةُ بِالنَّاسِ .
رَوَاهُ أَحْمَدُ وَالترْمِذِيُّ وَاللَّفْظُ لَهُ وَالطَّيَالِسِيُّ . وَقَالَ التَّرْمِذِيُّ: هَذَا حَدِيثٌ حَسَنٌ صَحِيحٌ .

89/2. Sulaym b. Āmir related:

¹ Set forth by •al-Bukhārī in *al-Šaḥīḥ*, 3:1111 §2887 and 1:469 §1328. •Ibn Abī Shayba in *al-Muṣannaf*, 7:436 §37059. •Ibn ibbān in *al-Šaḥīḥ*, 15:354 §6917. •al-Qurashī in *al-Kharāj*, p. 80 §232.

"There was a treaty between Mu‘āwiya and the Byzantines, and he (Mu‘āwiya) approached their land so he could attack them when the treaty would end. Suddenly, he saw a man on a horse, saying: 'Allah is the Greatest! Fulfil the promise; do not break it!' And when they looked, they found that he was 'Amr b. 'Abasa. Mu‘āwiya questioned him (about that), and 'Amr said: 'I heard Allah's Messenger ﷺ say: "When one has a treaty with a people, he must not breach it until its term comes to an end or they openly declare the cancellation of the treaty equally in retribution.'" Upon hearing that, Mu‘āwiya returned with his troops."¹

Reported by Aḥmad b. Ḥanbal, al-Tirmidhī (the wording is his) and al-Ṭayalī. Al-Tirmidhī said: "This is a fine authentic tradition."

¹ Set forth by •Aḥmad b. Ḥanbal in *al-Musnād*, 4:111 §17056. •al-Tirmidhī in *al-Sunan*, 4:143 §1580. •al-Ṭayalī in *al-Musnād*, 1:157 §1155.